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09/353,316	07/14/1999	JAMES J MACOR	MACOR8	3305

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EXAMINER

APPIAH, CHARLES NANA

ART UNIT PAPER NUMBER

2682

DATE MAILED: 03/29/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/353,316

Applicant(s)

MACOR.

Examiner

Charles Appiah

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 December 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Response to Amendment

1. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.

Response to Arguments

2. Applicant's arguments with respect to claims 1-22 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
4. Claims 1, 10, 11, 13 and 14 are rejected under 35 U.S.C. 102(e) as being anticipated by **Flanagin et al. (6,128,661)**.

Regarding claim 1, Flanagin discloses an integrated computer and mobile communication system (title), as illustrated in FIG. 1, the system comprising:
a computer base station (desktop computer 4),
a mobile device (mobile device 3A), containing a wireless telephone unit and a personal organizer unit including schedule access function keys and a display screen (feature of mobile device including a miniaturized keyboard, a display as well as the mobile device being implemented as another personal organizer, a palmtop computer or a similar computerized notepad device, a phone or pager, see col. 6, line 54 to col. 7, line 5).
Flanagin further discloses that the mobile device can be connected to the desktop computer using any one of a plurality of communication links (9, as illustrated in FIG. 1,

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see col. 3, lines 27-38), thus suggesting the separability of the mobile device from the computer base station, and further discloses a data transfer system for transferring data from the computer base station to the mobile device (feature of synchronization service, that specializes in the transfer of data between the connected mobile device and the desktop computer including replications and or automatic file copy, see col. 4, lines 12-24, and also col. 8, lines 5-43).

Regarding claim 10, Flanagan discloses a mobile communication handset comprising:

a personal organizer unit (feature of the mobile device being embodied as another type of personal digital assistant, another personal organizer, a palmtop computer, a similar computerized notepad device, a phone or a pager, see col. 7, lines 1-5), including organizer data access keys and a display screen (mobile device including a miniaturized keyboard and display, see col. 6, lines 58-65), and a remote data transfer system for transferring data from a computer base station to the organizer while the handset is remote from the computer base station (see col. 8, lines 14-43).

Regarding claim 11, Flanagan further discloses that the handset comprises a wireless telephone unit, the telephone unit comprising an alphanumeric keypad and inherently function keys (see col. 6, line 52 to col. 7, line 5). It is inherent that when the mobile device is embodied as phone it would have function keys and alphanumeric keypad, which are standard on conventional mobile cellular telephones.

Regarding claim 13, Flanagan further discloses that the mobile device when embodied as an organizer comprises a display screen (see col. 7, lines 6-10).

Regarding claim 14, Flanagan further discloses that the organizer unit comprises a memory device, wherein organizer software is stored in the memory device (see col. 7, lines 1-38).

Claim Rejections - 35 USC § 103

5. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

6. Claims 2, 3 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Flanagan et al. (6,128,661) in view of Ward (GB 2,275,120)**.

With respect to claim 2, Flanagan teaches all limitations as applied to claim 1 above. Flanagan further discloses that the mobile device includes a miniaturized keyboard and a display and that the mobile device may be embodied as a personal organizer (see col. 6, line 56 to col. 7, line 13).

Flanagan fails to specifically teach that the keyboard and display are for entering organizer information and the display is for displaying organizer information.

Ward discloses an electronic personal organizer as illustrated in Fig. 1, that includes a keyboard (3) and a display (see page 1, lines 18-20), suggesting the capability of inputting organizer data using the keyboard and displaying the data on the display.

It would therefore have been obvious to one of ordinary skill in the art to implement Flanagan's invention when embodied as a personal organizer using the keyboard to enter desired organizer data and the display for displaying desired

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information for the benefit of having a compact mobile communication device capable of providing desired organizer functions.

With respect to claim 3, Flanagin discloses that the mobile device comprises a mobile handset (feature of mobile device being embodied as phone see FIG. 3, col. 7, lines 1-5).

6. Claims ⁴⁻⁷ ~~4 and 5~~ ^{are} rejected under 35 U.S.C. 103(a) as being unpatentable over **Flanagin et al** and **Ward** as applied to claim 4 above, and further in view of **Henderson (6,035,214)**.

Regarding claims 4 and 5 Flanagin as modified by Ward fail to specifically disclose

that the base station comprises a cradle for receiving the handset and that the cradle includes nodes for charging the handset and in which the nodes form part of the data transfer system.

Henderson discloses a computer integrated with a telephone in which the telephone handset can be mounted in a cradle attached to the computer and the cradle include nodes for charging the handset and the nodes form part of the data transfer system (see FIG. 4, col. 4, lines 18-35).

It would therefore have been obvious to one of ordinary skill in the art to combine the above teaching of Henderson by having a cradle attached to the computer with the system of Flanagin in order to provide a versatile portable personal information management device with increased power supply through continuous charging of local power sources such as batteries.

Regarding claims 6 and 7 Flanagin's teaching of IR link 117 and direct LAN

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connect 119 as illustrated in Fig. 5, reads on the data transfer system comprises a radio frequency transmitter.

7. Claims 8 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Flanagin et al** as applied to claim 1 above, and further in view of **Enright (6,149,442)**.

Regarding claim 8, ^{and 9} Flanagin fails to teach that the mobile device further comprises a hinged cover located over the display screen and in which a switch operatively associated with the hinged cover is for controlling the display screen in an on-off condition.

The configuring of mobile devices with a hinged cover over display screens is very well known in the art as taught for example by Enright. Enright discloses hinge assemblies for electronic devices such as mobile telephones and portable computers (see col. 1, lines 14-45). According to Enright and as illustrated in Fig. 1, the mobile telephone comprises first and second housings, which are movable and, attached to one another by way of a hinge assembly (see col. 1, line 66 to col. 2, line 2), and as further illustrated in Fig. 3 the cover is located over the display screen in a closed position. As further illustrated in figures 4 to 9, the hinge assembly has contacts for providing power and function control for the device, and the electrical connections made by the contacts are dependent on the relative positions of the first and second housings of the device (see col. 2, line 36 to col. 3, line 7), thus suggesting the on-off control of the display as well as well as other functions of the device.

It would therefore have been obvious to one of ordinary skill in the art to use

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Enright's teaching of a hinged assembly for electronic portable devices with the system of Flanagan for the benefit of providing a mobile telephone having computer/organizer functions, whilst retaining the small size and the ability to protect components and control desired functions such as power control through selective operation of the mobile device.

8. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over **Flanagan** as applied to claim 14 above and further in view of **Enright (6,149,442)**.

With respect to claim 15 Flanagan fail to specifically disclose a radio frequency unit operatively connected to the memory device for receiving digital organizer data

Enright discloses a hinged assembly for electronic devices such as a mobile telephone, in which when the mobile telephone is in a second open position, the mobile telephone can be used as a portable computer/electronic organizer and that the input device could be used to input text for downloading to an office component or the device could be used to send facsimile message by making use of the mobile telephone functions(see col. 2, lines 30-32) thus suggesting a radio frequency unit in the mobile telephone, which is conventional and expected in the art.

It would therefore have been obvious to one of ordinary skill in the art to incorporate the above teaching of Enright by providing for a radio frequency unit for the downloading of text data to a computer into the system of Flanagan for the benefit of providing remote control capability such as organizer data transfer for mobile device users to computers.

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9. Claims 12 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Flanagin** and **Enright** as applied to claim 11 above, and further in view of **Charlton (5,929,774)**.

With respect to claims 12 and 22 Flanagin as modified by Enright fail to specifically an audible alert notification feature activatable from the base station and in which the audible alert notification feature is activated by a pre-scheduled event from the organizer data.

Charlton discloses a combination electronic pager, organizer and radio that includes an audible alert notification feature (alarm 66, FIG. 4) which is activated by a pre-scheduled event from the organizer data (see col. 5, lines 53-63, col. 6, lines 35-42).

It would therefore have been obvious to one of ordinary skill in the art to combine the teaching of Charlton with the system of Flanagin and Enright for the benefit of providing desired notification for scheduled events such as personal schedules or appointments.

10. Claims 16-18 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Flanagin et al. (6,128,661)** in view of **Shiff et al. (5,748,895)**.

Regarding claim 16, Flanagin discloses a communications and personal organizer method comprising:

transmitting organizer data from the computer base station to a personal organizer located in a mobile handset separable from the computer base station (feature of bi-directional exchange of data over communication link between mobile

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devices and desktop computer as illustrated in Fig. 1, (see col. 3, lines 27-43 and also when the mobile device is implemented as another type of personal digital assistant, another personal organizer, palmtop computer or similar computerized notepad device, a phone or a pager, see col. 7, lines 1-5 and synchronization service, that specializes in the transfer of data between the connected mobile device and the desktop computer including replications and or automatic file copy, see col. 4, lines 12-24, and also col. 8, lines 5-43), and using the handset for wireless telephone communication (mobile device being implemented as a phone, see col. 7, lines 1-5). Flanagan reads on the invention as claimed except the specific feature of inputting organizer data including scheduling information into a computer base station.

In an analogous art, Shiff discloses a system for remotely programming a portable information device (see figures 1 and 4) which include the step of inputting organizer data into a computer base station (information contained in computer can be conveniently and efficiently transmitted to the watch with the watch being programmed with scheduling data, see col. 3, lines 1-6, col. 3, line 60 to col. 4, line 8 and col. 5, lines 65-67). Shiff further teaches that the watch could be other forms of portable information devices such as pagers and personal digital assistants (see col. 4, lines 1-6).

It would therefore have been obvious to one of ordinary skill in the art to combine the above teaching of Shiff of inputting desired data such as personal organizer data into a computer which can be conveniently transferred remotely to an organizer with the system of Flanagan, for the benefit of ensuring the convenient and

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efficient transfer of desired information such as scheduling data to personal organizers or other portable information devices.

Regarding claim 17, Flanagan further discloses the computer having a keyboard (see FIG. 2) and Shiff also teaches the computer including a keyboard (see Fig. 1, col. 3, line 56 to col. 4, line 14) thus inherently anticipating the step of inputting organizer data via a keyboard connected to the computer base station.

Regarding claim 18, Flanagan as modified by Shiff further discloses as taught by Flanagan, the inputting step comprises the step of transferring organizer data from the mobile handset (feature of synchronization service, which specializes in the transfer of data between the connected mobile device and the desktop computer including replications and or automatic file copy see col. 4, lines 12-24, and also col. 8, lines 5-43).

Regarding claim 21, Flanagan fails to disclose the step of retrieving the personal scheduling information from the personal organizer using function keys located on the mobile handset.

Shiff teaches a watch in the context of a portable information device having a mode select button, a set/delete buttons and further teaches the portable information device in the form of a pager or personal digital assistant having a keypad for entering data (see col. 5, lines 30-51), thus inherently suggesting the capability of retrieving the personal scheduling information from the personal organizer using function keys located on the portable information device. It is inherent that if the device can be programmed with data such as appointments and tasks then such data can also be retrieved when desired.

It would therefore have been obvious to one of ordinary skill in the art to use the above teaching of Shiff by providing functions keys on the mobile unit with the system of Flanagin for the benefit of facilitating convenient access to stored data such as such as personal scheduling information.

11. Claims 19 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Flanagin et al** and Shiff **et al** as applied to claim 18 above, and further in view of **Henderson (6,035,214)**.

Regarding claim 19 and 20, Flanagin as modified by Shiff fail to specifically disclose that the transmitting step occurs while the handset is located in a cradle or removed from the cradle associated with said computer base station. In a similar field of endeavor

Henderson discloses a computer integrated with a telephone in which the telephone handset can be mounted in (or removed from) a cradle and data exchanged over cordless or IR interface (see col. 3, line 66 to col. 4, line 35).

It would therefore have been obvious to one of ordinary skill in the art to combine the above teaching of Henderson with the system of Flanagin and Shiff for the benefit of ergonomically incorporating the telephone into the layout of the computer or personal digital assistant for integrated or modular operation as desired such as the transmitting or downloading of data between a computer and a portable communication device.

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Conclusion

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Constien (6,259,932) discloses a hand-held telephone with computer module.

Mital (5,664,228 and 5,878,282) discloses portable information device and a method for downloading information from a computer to the portable information device.

Deo et al. (6,157,982) discloses a system for remotely managing memory in a portable information device from an external computer.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles Appiah whose telephone number is 703 305-4772. The examiner can normally be reached on M-F 7:30AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivian Chang can be reached on 703 305-6739. The fax phone numbers for the organization where this application or proceeding is assigned are 703 872-9314 for regular communications and 703 308-6296 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703 305-4750.

CA

Charles Appiah
March 20, 2002



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